

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Khalil K. Elahi, Sr.,

Civil No. 05-2236 (RHK/RLE)

Plaintiff,

vs.

**ORDER**

David Rydeen and D. Quest,

Defendants.

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Based upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-entitled matter, it is **ORDERED**:

1. The Report and Recommendation (Doc. No. 3) is **ADOPTED**;
2. Plaintiff's Application to Proceed In Forma Pauperis (Doc. No. 2) is **DENIED**; and
3. This action is summarily **DISMISSED**, but without prejudice, pursuant to Title 28 U.S.C. § 1915(e)(2)(B)(ii).

Dated: November 14, 2005

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge